



## ILLINOIS EMERGENCY MANAGEMENT AGENCY

**JB Pritzker**  
Governor

**Alicia Tate-Nadeau**  
Acting Director

Ms. Kim Schultz  
Executive Director  
Joint Committee on Administrative Rules  
700 Stratton Office Building  
Springfield, Illinois 62706

Re: 32 Ill. Adm. Code 330

Dear Ms. Thomas:

This SECOND NOTICE is for the Illinois Emergency Management Agency's Proposed Amendments pertaining to Licensing of Radioactive Material.

In compliance with Section 220.500 of the Operational Rules of the Joint Committee on Administrative Rules, the Illinois Emergency Agency states as follows:

- 1) The name of the agency is the Illinois Emergency Management Agency.
- 2) The title of the Proposed Amendments is Licensing of Radioactive Material 32 Ill. Adm. Code 330.
- 3) The First Notice Period began August 5, 2021, with the publication of Vol. 45, Issue 34 of the Illinois Register, beginning at p10497.
- 4) The specific locations of changes in the rule made during the First Notice Period are submitted in the form required by Section 220.600 of the JCAR rules and are shown in Attachment A of this Second Notice.
- 5) The Agency received notification from the Office of the Secretary of State, Administrative Code Division that they had reviewed the Proposed Amendment and found that it complied with codification requirements. (See Attachment B: Memorandum dated August 16, 2021)
- 6) The Proposed Amendment does contain incorporations by reference pursuant to Section 100/5-75 of the Illinois Administrative Procedure Act.

- 7) The Agency did not receive any comments regarding this rulemaking from businesses identifying themselves as small businesses pursuant to Section 100/5-40(c) of the IAPA. Therefore, a Final Regulatory Flexibility Analysis was not prepared.
- 8) In order to comply with the requirements of Section 100/5-30 of the Administrative Procedure Act and 1 Ill. Adm. Code 220.285, the Agency provided a copy of the proposed amendments to members of the affected community through the Agency's website.
- 9) This amendment will: to meet compatibility with U.S. Nuclear Regulatory Commission (USNRC) regulations including adding a definition for Associate Radiation Safety Officer and Preceptor; clarifying transfer and registration requirements; and adding training and experience requirements related to the Associate Radiation Safety Officer and Nuclear Pharmacist.

In addition, IEMA is proposing to add language indicating deadlines to submit responses to IEMA in Section 330.220; eliminate the requirement for submitting applications in duplicate in Section 330.240; add a sealed source storage limitation in Section 330.310(i) so that no sealed source can be stored without use for longer than 2 years unless additional oversight is provided; add a time limitation in Section 330.310(c) for submittal of information for transfer of ownership for licenses; add language regarding the need for a written request 90 days prior to transfer in order to ensure all licensing requirements are met and the new owner is legally bound to adhere to those requirements; and eliminate duplicative language and outdated cross-references.

- 10) The Agency received no comments during the First Notice Period regarding this proposed amendment
- 11) Joint Committee questions may be directed to Louise Conway, Staff Attorney, at 217-785-9876 or Traci Burton, Paralegal Assistant, at 217-720-8242, telefax number 217-524-3698.
- 12) The Joint Committee on Administrative Rules did not request the Agency to complete a State Mandates Act Questionnaire.
- 13) An analysis of the economic and budgetary effects is enclosed as Attachment C herein.
- 14) This Amendment does not require the use of any forms for compliance.

Sincerely,

Traci Burton